



The Confederated Tribes of the Colville Reservation

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Tuesday, November 07, 2017

Hon. Chairman Ajit Pai
Hon. Commissioner Mignon Clyburn
Hon. Commissioner Michael O'Rielly
Hon. Commissioner Brendan Carr
Hon. Commissioner Jessica Rosenworcel
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Proposed Changes to the Tribal Lifeline Program; WC Docket Nos. 17-287, 11-42, 09-197

Dear Chairman Pai and Commissioners Clyburn, O'Rielly, Carr and Rosenworcel:

The Confederated Tribes of the Colville Reservation submits this letter in opposition to the Draft Lifeline Item released by the FCC on October 26, 2017.¹ The Lifeline program rule changes proposed in the item will have a significant and adverse impact on Tribal Nations, including members of the Colville Tribes.

As a preliminary matter, the Tribes notes that the Federal Communications Commission (FCC) failed to properly consult with Tribal Nations on the FCC's newly-planned changes to the Tribal Lifeline program. This failure is unacceptable and an affront to the sovereignty of Tribal nations across the United States. Moreover, it sets a dangerous precedent for future federal agency actions which affect Indian Country. We therefore respectfully request that the FCC's Office of Native Affairs and Policy (ONAP) schedule a proper consultation with affected Tribes prior to adopting proposed changes to the Tribal Lifeline program, in accordance with the FCC's 2000 Tribal Policy Statement.² Moreover, we request that the FCC defer any action on this item until such time that the consultation has been completed.

Like tribal communities, and non-Indian communities everywhere, our membership relies heavily on wireless communication services for basic and sometimes critical communications. Parts of our reservation were recently devastated by windstorms and wildfires which threatened not just the homes but the lives of our community members; it is imperative that communications

¹ See *Draft Bridging the Digital Divide for Low-Income Consumers*, WC Docket No. 17-287 et al., Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking, and Notice of Inquiry, FCC-CIRC1711-05 (Oct. 26, 2017) (Draft Lifeline Item).

² *Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes*, Policy Statement, FCC 00-207 (June 23, 2000).

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services be available to avoid catastrophe and the loss of human lives in natural or man-made disaster situations.

We are especially disconcerted with the FCC's proposal to eliminate resellers from the Tribal Lifeline program. Wireless resellers offering enhanced Tribal Lifeline service generate revenue for the Tier 1 service providers that can be invested to expand wireless infrastructure on Tribal lands, a crucial need for the Colville Tribes. Wireless resellers have developed specialized business models to connect with residents of our Reservation; resellers currently provide critically-needed Lifeline service to many low-income individuals on the Colville Reservation. If these companies are no longer permitted to provide Tribal Lifeline service, it will be difficult, and in many cases impossible, for members of the Colville Tribes to obtain affordable voice and broadband services.

We look forward to consulting with the FCC on these issues and working with the FCC prior to the adoption of any rules affecting the Lifeline program on Tribal lands to ensure that its policies serve the unique needs and interests of Tribal Nations.

Sincerely,



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